

**FILED**

**FEB 14 2019**

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**BUTTE DIVISION**

MICHAEL DiFRANCESCO and  
ASHLEY DAVIS, on behalf of  
himself and others similarly situated,

Plaintiff,

vs.

TIM FOX, in his official capacity as  
Attorney General of Montana; SARAH  
GARCIA, in her official capacity as  
Administrator of the Motor Vehicle  
Division; and MICHELE  
SNOWBERGER, in her official  
capacity as Bureau Chief of the Driver  
Services Bureau,

Defendants.

No. CV 17-66-BU-SEH

**ORDER**

On February 14, 2019, the parties filed a Joint Motion to Vacate Pretrial  
Conference and Joint Proposed Briefing Schedule.<sup>1</sup>

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<sup>1</sup> Doc. 59.

The record now before the court strongly suggests that numerous and yet unresolved issues of fact may exist that directly bear upon the question of whether summary judgment for either party may be or will be appropriate.

ORDERED:

The Joint Motion to Vacate Pretrial Conference and for Joint Proposed Briefing Schedule<sup>2</sup> are DENIED. The Court's order of January 9, 2019,<sup>3</sup> in all respects remains in full force and effect. The preliminary pretrial conference will proceed as scheduled.

DATED this 14<sup>th</sup> day of February, 2019.

  
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SAM E. HADDON  
United States District Judge

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<sup>2</sup> Doc. 59.

<sup>3</sup> Doc. 58.